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Atty. Dkt. No. 052218-0105

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Susumu NINOMIYA

Title: METHOD OF PROCESSING  
NONFERROUS METAL  
ALLOY AND PROCESSING  
APPARATUS THEREOF

Appl. No.: 10/689,835

Filing Date: 10/22/2003

Examiner: Janell C. Morillo

Art Unit: 1742

Confirmation 4242  
Number:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicant in order to comply with Applicant's duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR

§1.56(b). Applicant does not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### **RELEVANCE OF EACH DOCUMENT**

Documents A1 through A3 were cited in a Japanese Office Action issued in a counterpart Japanese application on April 7, 2006. According to an English translation of the relevant portions of the Japanese Office Action obtained by Applicant's representative, the Japanese Patent Office made certain characterizations of the references. A copy of the Japanese Office Action and the partial English-language translation thereof is attached. As noted, the characterizations of the Japanese Patent Office noted above are based on an English translation obtained by Applicant's representative. The disclosure of these characterizations should not be construed as an admission of or agreement with the opinions expressed in the Japanese Office Action.

Document A4 listed on the attached PTO/SB/08 was cited during the prosecution of the corresponding European application. A copy of the European Search Report is attached setting forth the portion of each reference considered relevant by the examiner.

Copies of U.S. Patent Nos. 3,256,119 and 2,797,177, and European Patent No. 1 057 897 listed on the European Search Report are not being provided since they were previously

submitted to the United States Patent & Trademark Office on April 28, 2004 in the above-identified application.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a "concise explanation of relevance" for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicant respectfully requests that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required for this Request, the Commissioner is hereby authorized to charge any additional fees which may be required for this Request to Deposit Account No. 19-0741.

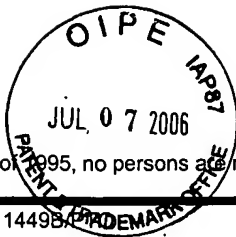
Respectfully submitted,

Date: July 7, 2006

By 

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Substitute for form 1449B

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

Date Submitted: July 7, 2006

(use as many sheets as necessary)

Sheet 1 of 1

**Complete if Known**

|                        |                   |
|------------------------|-------------------|
| Application Number     | 10/689,835        |
| Filing Date            | 10/22/2003        |
| First Named Inventor   | Susumu NINOMIYA   |
| Group Art Unit         | 1742              |
| Examiner Name          | Janell C. Morillo |
| Attorney Docket Number | 052218-0105       |

**U.S. PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Document |   | Name of Patentee or Applicant of<br>Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|----------------------|---|--|--|--|
|                       |                          | Number               | Kind<br>Code <sup>2</sup> (if<br>known) |  |  |  |
|                       |                          |                      |   |  |  |  |
|                       |                          |                      |   |  |  |  |

**UNPUBLISHED U.S. PATENT APPLICATION DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Application<br>Document |   | Name of Patentee or Applicant of<br>Cited Document | Filing Date of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|-----------------------|--------------------------|-------------------------------------|---|--|--|--|
|                       |                          | Serial Number                       | Kind<br>Code <sup>2</sup> (if<br>known) |  |  |  |
|                       |                          |                                     |   |  |  |  |
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**FOREIGN PATENT DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or<br>Applicant of Cited Documents | Date of Publication<br>of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns,<br>Lines, Where<br>Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|-----------------------|--------------------------|-------------------------|---------------------|--------------------------------------|---|---|---|----------------|
|                       |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |   |   |                |
|                       | A1                       | JP                      | 61-113752           | A                                    | NIPPON LIGHT METAL CO                               | 05-31-1986  |   | ABS            |
|                       | A2                       | JP                      | 2889650             | B2                                   | TOKYO SHIBAURA<br>ELECTRIC CO                       | 02-19-1999  |   | ABS            |
|                       | A3                       | JP                      | 2000-204459         | A                                    | HITACHI LTD   | 07-25-2000  |   | ABS            |
|                       | A4                       | JP                      | 2001-262259         | A                                    | TOSHIBA CORP  | 09-26-2001  |   | ABS            |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the<br>item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s),<br>publisher, city and/or country where published. | T <sup>6</sup> |
|-----------------------|--------------------------|--|----------------|
|                       |                          |  |                |

Examiner  
SignatureDate  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Burden Hour Statement: This form is estimated to take 2.0 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.